

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DENNIS J. DUPREE,

Plaintiff,

- against -

URBAN HOMESTEADING ASSISTANCE
BOARD STERLING STREET HOUSING
DEVELOPMENT FUND CORPORATION,
URBAN HOMESTEADING ASSISTANCE
BOARD, DEL-MAR MANAGEMENT
SERVICES, INC., ROMULO SAMANIEGO,
CASEY DELVALLE,

Defendants.

Civil Action No. 10 Civ. 1894 (JG)(JO)

**DECLARATION OF
EMILIE A. HENDEE, ESQ. IN SUPPORT
OF THE UHAB DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

STATE OF NEW YORK)
) ss.
NEW YORK COUNTY)

EMILIE A. HENDEE, being duly sworn, deposes and says:

1. I am a associate at the law firm of Jones Day. I am fully familiar with the facts and circumstances set forth herein and make this Declaration in support of the motion for summary judgment filed by Defendants Urban Homesteading Assistance (U-HAB), Inc., UHAB Housing Development Fund Corporation, and UHAB-Sterling Street Housing Development Fund Corporation (collectively the "UHAB Defendants"), to dismiss this case in its entirety.

2. Attached hereto as Exhibit ("Ex.") A is a true and correct copy of the Second Amended Complaint filed by Plaintiff Dennis Dupree ("Mr. Dupree") in this action.

3. Attached hereto as Ex. B is a true and correct copy of the UHAB Defendants' Answer to Plaintiff's Second Amended Complaint filed in this action.

4. Attached hereto as Ex. C is a true and correct copy of the pertinent pages of Mr. Dupree's deposition transcript that are cited throughout the UHAB Defendants'

accompanying Memorandum of Law in Support of Their Motion for Summary Judgment (“Memorandum of Law”).

5. Attached hereto as Ex. D is a true and correct copy of the pertinent exhibits, which Mr. Dupree authenticated at his deposition.

6. Attached hereto as Ex. E is a true and correct copy of the pertinent pages of Zully Rolan’s (“Ms. Rolan”) deposition transcript that are cited throughout the UHAB Defendants’ Memorandum of Law.

7. Attached hereto as Ex. F is a true and correct copy of the pertinent pages of Marina Metalios’ (“Ms. Metalios”) deposition transcript that are cited throughout the UHAB Defendants’ Memorandum of Law.

8. Attached hereto as Ex. G is a true and correct copy of the pertinent exhibits, which Ms. Metalios authenticated at her deposition.

9. Attached hereto as Ex. H is a true and correct copy of the pertinent pages of Cassandra (“Casey”) Delvalle (“Ms. Delvalle”) deposition transcript that are cited throughout the UHAB Defendants’ Memorandum of Law.

10. Attached hereto as Ex. I is a true and correct copy of the pertinent pages of Romulo Samaniego’s (“Mr. Samaniego”) deposition transcript that are cited throughout the UHAB Defendants’ Memorandum of Law.

WHEREFORE, I believe the foregoing is true and correct to the best of my knowledge.

Dated: May 7, 2012

/s/ Emilie A. Hendee
Emilie A. Hendee

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2012, a copy of the foregoing Declaration of Emilie A. Hendee, Esq., and exhibits attached hereto, were filed electronically and notice of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Emilie A. Hendee

Attorneys for Defendants

Urban Homesteading Assistance (U-HAB), Inc.,
UHAB Housing Development Fund Corporation,
and UHAB-Sterling Street Housing Development
Fund Corporation